IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.329 OF 2005
IN
APPEAL FROM ORDER NO.307 OF 2005

Amit Shivkumar Patil ...Applicant
vs.
Mahadeo Tukaram Patil & Ors. ...Respondents

Mr.Amit Borkar for the Appellant
Mr.Nitin Vhatkar for the Respondents

CORAM: A.S.OKA,J.
DATE : MAY 6,2005.

P.C.:

1. Heard the learned Counsel for the Applicant and Respondent Nos.1 and 2. None appears for Respondent Nos.3 to 5. This application is opposed by the learned Counsel for the Respondent Nos.1 and 2. He states that the Appellant is not in a possession and the Respondent Nos.1 and 2 are in possession.

2. Considering the findings recorded in the impugned Judgment and Order, on 3rd March 2005, by ad-interim order the parties were directed to maintain status quo as of that date. There is no reason to modify the ad-interim order.

3. Civil Application is disposed of by directing that the ad-interim order dated 3rd March 2005 directing the parties to maintain status quo as of that date will continue to operate till the final disposal of the Appeal.

4. It is made clear that pendency of the Appeal will not operate as stay of the proceedings of the suit and the Trial Court will proceed with the hearing of the suit in accordance with law as expeditiously as possible and in any event on or before 31st March 2006.

JUDGE.